

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-10558
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT OCT 19, 2007 THOMAS K. KAHN CLERK

D.C. Docket No. 05-00153-CV-2

PENSION BENEFIT GUARANTY CORPORATION,
an agency and corporation of the United States Government,
1200 K Street, NW, Washington, DC 20005-4026,

Plaintiff-Appellee,

versus

DURANGO GEORGIA PAPER CO.,
as plan administrator of the Gilman Paper Company
Pension Plan for Hourly Employees,
1000 Osborne Street, St. Mary's, GA 31558,

Defendant-Appellee,

H.G. ESTATE, LLC,
THE HOWARD GILMAN FOUNDATION, INC.,
W.O. CORPORATION,

Intervenors-Defendants-Appellants.

Appeal from the United States District Court
for the Southern District of Georgia

(October 19, 2007)

Before TJOFLAT, HULL and COX, Circuit Judges.

PER CURIAM:

H.G. Estate, LLC, The Howard Gilman Foundation, Inc. and W.O. Corporation (“Intervenors”) appeal the district court’s judgment following an order granting the joint motion to dismiss of Pension Benefit Guaranty Corporation (“PBGC”) and Durango Georgia Paper Company (“Durango”).

Intervenors raise two issues on appeal: (1) whether the district court erred in dismissing the litigation and (2) alternatively, whether the district court erred by not imposing conditions on the dismissal.

We review a court’s grant of a motion to dismiss for abuse of discretion. *Fisher v. Puerto Rico Marine Mgmt., Inc.*, 940 F.2d 1502, 1503 (11th Cir. 1991). Having considered the briefs and the record, we find no abuse of discretion in the dismissal. AFFIRMED.